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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

HONG, JOHN C

ART UNIT

PAPER NUMBER

3726

DATE MAILED: 01/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/916,934

Applicant(s)

ODDSEN, ODD N.

Examiner

John C. Hong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The abstract of the disclosure is objected to because the abstract does not describe the method of assembling a bracket from a plurality of components. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 7, 10 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7, line ; Claim 10, line 2; Claim 16, line 17 : "the group" lacks antecedent basis.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
6. Claims 1-4 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knedlik (U.S. Patent 3,628,759) in view of Bateman (U.S. Patent 5,277,432).

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Regarding claim 1, Knedlik teaches a method of assembling a bracket from a plurality of components for mounting device to a supporting surface comprising: providing a plurality of components adapted into a bracket, at least one of the components comprising a shaft holder (12) having an opening formed therein adapted to removably support the device and assembling a plurality of components including at least the shaft holder into one of the brackets. See Figs. 1-3.

Knedlik fails to teach a step of providing a plurality of components adapted to be assembled into a plurality of brackets each of different configuration and at least one of the brackets adapted to be assembled from less than all of the components.

Bateman teaches a step of providing a plurality of components adapted to be assembled into a plurality of brackets each of different configuration and at least one of the brackets adapted to be assembled from less than all of the components for versatile use and economical production. See abstract.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to employ the a step of providing a plurality of components adapted to be assembled into a plurality of brackets each of different configuration and at least one of the brackets adapted to be assembled from less than all of the components, as taught by Bateman on the method of Knedlik so as to manufacture versatile and economical product.

Re claim 2, Knedlik teaches the component comprise a threaded member (58), a first member (38) having a first flange and a second flange generally perpendicularly attached to a second flange, and a second member (16) having a third flange and a fourth flange. generally perpendicularly attached to the third flange. See Fig. 1.

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Re claim 3, Knedlik teaches the assembly step comprises attaching the shaft holder (12) to the first member (38) using the threaded member (58). See Fig. 1.

Re claim 4, Knedlik teaches the step of attaching the second member(16) to the first member (38). See Fig. 1.

Re claim 6, Knedlik teaches the step of attaching all the components together in assembling the bracket. See Fig. 1.

Re claim 7, Knedlik fails to teach the bracket comprises a mount selected from a group consisting of a clamp mount, a wall mount and a flat mount.

Bateman teaches the bracket comprises a mount selected from a group consisting of a clamp mount (Fig. 5), a wall mount (Fig. 14) and a flat mount (Fig. 15).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to employ the step of selecting from a group consisting of a clamp mount, a wall mount and a flat mount, as taught by Bateman on the method of Knedlik so as to produce versatile bracket.

Re claim 8, Knedlik teaches the step of attaching all the components together in assembling the bracket. see Fig. 1.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knedlik/Bateman as applied to claims 1 and 2 above, and further in view of Leisner (U.S. Patent 4,198,775).

Knedlik/Bateman teach the limitations as claimed above with the exception of the components further include a clamp plate having an opening, the assembly step comprising attaching the threaded member the shaft holder with the threaded member extending through the opening in the clamping plate.

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Leisner teaches a clamp plate (28) having an opening, the assembly step comprising attaching the threaded member (65A') the shaft holder with the threaded member extending through the opening in the clamping plate for stronger joint. See Fig. 1.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to employ the steps of attaching the threaded member the shaft holder with the threaded member extending through the opening in the clamping plate, as taught by Leisner on the method of Knedlik/Bateman so as to make a stronger joint.

8. Claims 9-12 , 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knedlik in view of Bateman.

Regarding claim 9, Knedlik teaches assembling a bracket from a plurality of components, the bracket adapted for mounting a device to a supporting surface, the method comprising : providing a plurality of components adapted into a bracket, at least one of the components comprising a shaft holder (12) having an opening formed therein adapted to removably support the device and assembling a plurality of components including at least the shaft holder into one of the brackets and the component comprise a threaded member (58), a first member (38) having a first flange and a second flange generally perpendicularly attached to a second flange, and a second member (16) having a third flange and a fourth flange. generally perpendicularly attached to the third flange; and assembling plurality of components into a single bracket configuration , at least one of the components comprising the shaft holder (12). See Figs. 1-3.

Knedlik fails to teach the steps of : providing a kit containing plurality of components adapted to be assembled into a plurality of brackets each of a different configuration ; and

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selecting and assembling a plurality of components for assembly into a single bracket configuration.

Bateman teaches the steps of : proving a kit containing plurality of components adapted to be assembled into a plurality of brackets each of a different configuration ; and selecting and assembling a plurality of components for assembly into a single bracket configuration for producing versatile and economic brackets. See abstract.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to employ the steps of : proving a kit containing plurality of components adapted to be assembled into a plurality of brackets each of a different configuration ; and selecting and assembling a plurality of components for assembly into a single bracket configuration, as taught by Bateman on the method of Knedlik so as to produce versatile and economic brackets.

Re claim 10, Knedlik fails to teach the bracket comprises a mount selected from a group consisting of a clamp mount, a wall mount and a flat mount.

Bateman teaches the bracket comprises a mount selected from a group consisting of a clamp mount (Fig. 5), a wall mount (Fig. 14) and a flat mount (Fig. 15).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to employ the step of selecting from a group consisting of a clamp mount, a wall mount and a flat mount, as taught by Bateman on the method of Knedlik so as to produce versatile bracket.

Re claim 11, Knedlik teaches the step of attaching the shaft holder (12) the first member (38) using threaded member. See Fig. 1.

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Re claim 12, Knedlik teaches the step of attaching the second member(16) to the first member (38). See Fig. 1.

Re claim 14, Knedlik teaches the step of attaching all the components together in assembling the bracket. see Fig. 1.

Re claim 15, Knedlik fails to teach the step of attaching less than all of the components together in assembling the bracket.

Bateman teaches the step of attaching less than all of the components together in assembling the bracket for versatile and economic production of brackets. See abstract.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to employ the step of attaching less than all of the components together in assembling the bracket, as taught by Bateman on the method of Knedlik so as to produce versatile and economic brackets.

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knedlik/Bateman as applied to claim 9 above, and further in view of Leisner.

Knedlik/Bateman teach the limitations as claimed above with the exception of the components further include a clamp plate having an opening, the assembly step comprising attaching the threaded member the shaft holder with the threaded member extending through the opening in the clamping plate.

Leisner teaches a clamp plate (28) having an opening, the assembly step comprising attaching the threaded member (65A') the shaft holder with the threaded member extending through the opening in the clamping plate for stronger joint. See Fig. 1.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to employ the steps of attaching the threaded member the shaft holder with the threaded member extending through the opening in the clamping plate, as taught by Leisner on the method of Knedlik/Bateman so as to make a stronger joint.

10. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knedlik in view of Bateman.

Knedlik teaches a method of assembling a bracket adapted for mounting a device to a supporting surface, the method comprising ; providing a components including a shaft holder (12) having an opening formed therein adapted to removably support the device, a threaded member (58), a first member (38) having a first flange and a second flange generally perpendicularly attached to the first flange, and a second member (16) having a third flange and a fourth flange generally perpendicularly attached to the third flange; assembling components, at least one of the components consisting a shaft holder (12), into a single bracket configuration by at least attaching the shaft holder to the first member using the threaded member (58). See Fig. 1

Knedlik fails to teach the steps of : providing a kit containing a plurality of components adapted to be assembled into a plurality of brackets each of different configurations; and selecting a plurality of components for assembly into a single bracket configuration comprises a clamp mount, a wall mount and a flat mount.

Bateman teaches the steps of : providing a kit containing a plurality of components adapted to be assembled into a plurality of brackets each of different configurations; and selecting a plurality of components for assembly into a single bracket configuration comprises a clamp mount (Fig. 5), a wall mount (Fig. 14) and a flat mount (Fig. 15). See abstract.

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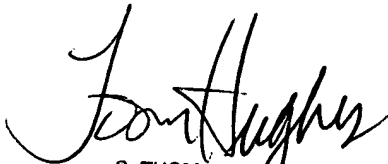
It would have been obvious to one of ordinary skill in the art at the time of the invention was made to employ the step of selecting from a group consisting of a clamp mount, a wall mount and a flat mount, as taught by Bateman on the method of Knedlik so as to produce versatile bracket.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John C. Hong whose telephone number is 703-305-0779. The examiner can normally be reached on M-F(07:00-16:30)First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3580 for regular communications and 703-305-3590 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1078.

jh
January 14, 2002


S. THOMAS HUGHES
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